

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	)	<b>CASE NO. 1:05-CR-148</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Judge Peter C. Economus</b>
	)	
<b>DEMETRIUS DENT,</b>	)	
	)	
<b>Defendant.</b>	)	<b><u>ORDER</u></b>

On August 9, 2005, the Defendant, Demetrius Dent, was sentenced to forty-three (43) months imprisonment, followed by two (2) years of supervised release, for being a felon in possession of a firearm, a Class C felony. His supervised release commenced on October 24, 2008.

The Defendant's probation officer submitted a violation report on February 11, 2009, and a Supplemental Information Report on October 22, 2009, alleging the following violations of the terms of supervised release:

1. **NEW LAW VIOLATION #1** - Mr. Dent was arrested by the Cleveland Police Department on 1/12/2009 for Robbery-Firearm, Kidnapping, and Possessing Criminal Tools
2. **FAILURE TO REPORT ARREST** - Mr. Dent failed to report that he had been arrested.
3. **FAILURE TO REPORT AS DIRECTED** - Mr. Dent was released on bond and directed to report to this officer and failed to report.

The matter was referred to Magistrate Judge James S. Gallas to conduct the appropriate proceedings, except for sentencing, and to prepare a report and recommendation. An arrest warrant was issued for the Defendant on February 23, 2009. The Defendant was arrested on September 25, 2009, and appeared before the Magistrate Judge for an initial appearance on October 27, 2009, and for a violation hearing on November 5, 2009. The Defendant was represented at the violation hearing by counsel Michael Cheselka.

At the hearing, Probation Officer Rosalind Burks reported that the Defendant had been found not guilty in Cuyahoga Couty Court of Common Pleas on all charges related to Violation # 1, as well as on a separate charge of Escape. Defendant then admitted to the violations as charged and waived preliminary hearing. Upon the recommendation of the government and the probation officer, the Defendant was sentenced to time served and released to continue on supervised release.

The Court has reviewed the Magistrate Judge's report and recommendation and finds that it is well-supported. Therefore, the Court hereby **ADOPTS** the Magistrate's Report and Recommendation. (Dkt. # 27). Based on this Court's review of all relevant factors, the Court hereby orders that the Defendant is sentenced to time served and shall continue on supervised release.

**IT IS SO ORDERED.**

Issued: November 18, 2009

s/ Peter C. Economus  
PETER C. ECONOMUS  
UNITED STATES DISTRICT JUDGE